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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,748	09/17/2003	Tsutomu Yamaguchi	056272.52748US	2643

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CROWELL & MORING LLP  
INTELLECTUAL PROPERTY GROUP  
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WASHINGTON, DC 20044-4300

EXAMINER
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QIN, JIANCHUN

ART UNIT	PAPER NUMBER
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2837

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/21/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/663,748

Applicant(s)

YAMAGUCHI, TSUTOMU

Examiner

Jianchun Qin

Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 December 2006.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-10 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Stiles (U.S. Pat. No. 3,120,146).

Regarding claim 1, Stiles discloses a keyboard device for a keyboard musical instrument (Fig. 1), comprising: keys (26) each opening downward, and having side walls and a front wall (Figs. 2 and 4), and an abutment portion (Figs. 4 and 5, the partitions which form the slots 37 for receiving the projection 35 of the bushing 33) provided inside said side walls and formed inside of the front wall of said keys (Figs. 4 and 5; col. 3, lines 38-42), said abutment portion having a lower end located at the same height as lower ends of said side walls (Fig. 4, the partitions have lower ends flush with the lower ends of the side walls), said keys (26) each performing pivotal downward motion when depressed (col. 2, lines 41-59); and stoppers (Fig. 1, element 9) arranged under said keys in a manner associated therewith, respectively, for abutment of said side walls and said abutment portion of an associated one of said keys thereagainst, thereby stopping the downward pivotal motion of said associated key, said stoppers having a shock-absorbing property (Fig. 1; col. 2, lines 58-59).

Regarding claim 2, Stiles discloses: wherein said abutment portion is formed by at least one rib (col. 2, lines 31-35).

Regarding claim 3, Stiles discloses: wherein said rib is formed by a plate-shaped rib having a lower surface extending along a plane including lower end faces of said side walls and wherein the lower surface includes a largest surface area of the plate-shaped rib (Figs. 2, 4 and 5).

Regarding claim 4, Stiles discloses: wherein said keys are formed by synthetic resin molded articles in which each key is integrally molded with said rib (col. 2, lines 31-35).

Regarding claim 5, Stiles discloses: wherein said lower surface of said rib is flush with said lower end faces of said side walls (Figs. 2, 4 and 5).

Regarding claim 6, Stiles discloses: a keyboard device for a keyboard musical instrument (Fig. 1), comprising: keys (26) each opening downward, and having side walls and a front wall (Figs. 2 and 4), and an abutment portion (Figs. 4 and 5, the partitions which form the slots 37 for receiving the projection 35 of the bushing 33) provided inside said side walls and formed inside of the front wall of said keys (Figs. 4 and 5; col. 3, lines 38-42), said abutment portion having a lower end located at the same height as lower ends of said side walls (Fig. 4, the partitions have lower ends flush with the lower ends of the side walls), said keys each performing pivotal downward motion when depressed (col. 2, lines 41-59); and stoppers (Fig. 1, element 9) arranged under said keys in a manner associated therewith, respectively, for abutment of said side walls and said abutment portion of an associated one of said keys thereagainst,

thereby stopping the downward pivotal motion of said associated key, said stoppers having a shock-absorbing property (Fig. 1; col. 2, lines 58-59), wherein said abutment portion is formed by a plurality of ribs and wherein said plurality of ribs engage with a one of said stoppers (col. 2, lines 31-35).

Regarding claim 7, Stiles discloses: wherein said keys are formed by synthetic resin molded articles in which each key is integrally molded with said ribs col. 2, lines 31-35).

Regarding claim 8, Stiles discloses: a keyboard device for a keyboard musical instrument (Fig. 1), comprising: keys (26) each opening downward, and having side walls and a front wall (Figs. 2 and 4), and an abutment portion (Figs. 4 and 5, the partitions which form the slots 37 for receiving the projection 35 of the bushing 33) provided inside said side walls and formed inside of the front wall of said keys (Figs. 4 and 5; col. 3, lines 38-42), said abutment portion having a lower end located at the same height as lower ends of said side walls (Fig. 4, the partitions have lower ends flush with the lower ends of the side walls), said keys each performing pivotal downward motion when depressed (col. 2, lines 41-59); and stoppers (Fig. 1, element 9) arranged under said keys in a manner associated therewith, respectively, for abutment of said side walls and said abutment portion of an associated one of said keys thereagainst, thereby stopping the downward pivotal motion of said associated key, said stoppers having a shock-absorbing property (Fig. 1; col. 2, lines 58-59), wherein said abutment portion is formed by at least one plate-shaped rib having a lower surface extending along a plane including lower end faces of said side walls and wherein the lower surface

includes a largest surface area of the plate-shaped rib, and coming into surface abutment with said stoppers (Figs. 2, 4 and 5; col. 2, lines 31-35).

Regarding claim 9, Stiles discloses: wherein said keys are formed by synthetic resin molded articles in which each key is integrally molded with said rib (col. 2, lines 31-35).

Regarding claim 10, Stiles discloses: wherein said lower surface of said rib is flush with said lower end faces of said side walls (Figs. 2, 4 and 5).

### ***Conclusion***

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

***Response to Arguments***

4. Applicant's arguments received 12/11/06 with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Amended claims 1-10 are rejected as new grounds have been found from the Stiles reference to teach the limitation argued by the Applicant. Detailed response is given in section 2 as set forth above in this Office Action.

***Contact Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jianchun Qin whose telephone number is (571) 272-5981. The examiner can normally be reached on 8am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lincoln Donovan can be reached on (571) 272-1988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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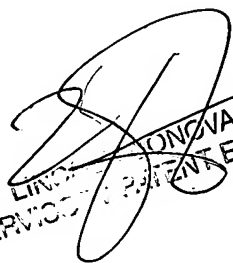
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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jianchun Qin  
Examiner  
Art Unit 2837

JQ JQ

  
LINDA LONG VAN  
SUPERVISOR, PATENT EXAMINER